

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
SEATTLE DIVISION

LARRY W. JOHNSON,

Plaintiff

v.

RCO LEGAL, P.S.

Defendant

And

WELLS FARGO HOME MORTGAGE, INC.

Garnishee

NO: 2:17-MC-00172-RSL

ORDER ON STIPULATION

This matter comes before the Court on the stipulation (“Stipulation”)¹ of Elliott Bay Asset Solutions, LLC, the duly appointed General Receiver over RCO Legal, P.S. (the “Receiver”), Larry W. Johnson (“Mr. Johnson”), and Wells Fargo Bank, N.A. as successor by merger to Wells Fargo Home Mortgage, Inc. (collectively “Wells Fargo”) (Wells Fargo and together with the Receiver and Mr. Johnson, collectively the “Parties”). Having reviewed the Stipulation, and good cause appearing, the Court approves the Parties’ Stipulation; and it is HEREBY ORDERED

¹ Capitalized terms used herein and not otherwise defined have the meanings provided in the Stipulation.

1 THAT:

2 1. The proceedings in Case Nos. MC 17-0172-RSL (the “Federal Court
3 Proceeding”) are hereby stayed.

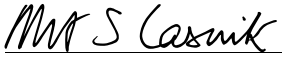
4 2. Wells Fargo’s payment of the Settlement Payment to the Receiver includes and
5 fully resolves and relieves Wells Fargo from any amount which Mr. Johnson may claim
6 entitlement to under any writ of garnishment from Wells Fargo directly, in the Federal Court
7 Proceeding, the Default Judgment entered by this Court on March 5, 2018 (the “Default
8 Judgment”), and the April 30, 2019 Order to Answer Writ and Awarding Attorney’s Fees in the
9 above captioned garnishment proceeding (the “Garnishment Orders”).
10

11 3. Any amount of the Settlement Payment to which Mr. Johnson may be entitled to
12 pursuant to the Garnishment Orders shall be adjudicated and resolved by the King County
13 Superior Court in the Receivership Proceeding (the “Johnson Claim Proceeding”), which
14 adjudication shall fully resolve the Garnishment Orders and relieve Wells Fargo from any further
15 payment obligations thereunder or in the Federal Court Proceeding. During the pendency of the
16 Johnson Claim Proceeding, Mr. Johnson shall not execute upon nor take any enforcement action
17 related to the Default Judgment or the Garnishment Orders. Upon such resolution or adjudication
18 in the Johnson Claim Proceeding or otherwise, the Default Judgment shall be deemed satisfied
19 and Mr. Johnson shall file a satisfaction and dismiss the Federal Court Proceeding, provided,
20 however, if Mr. Johnson fails to do so, any party may seek to have the Default Judgment deemed
21 satisfied and the Federal Court Proceeding dismissed.
22

23 4. Wells Fargo does not need to file any further answer with respect to any writ
24 entered in the Federal Court Proceeding and is relieved from any and all garnishment answer
25 deadlines in the Federal Court Proceeding.
26

1 PURSUANT TO THE STIPULATION, IT IS SO ORDERED

2
3 DATED this 11th day of October, 2019.

4 
5 Hon. Robert S. Lasnik
6 United States District Judge

7 Presented by:

8 DBS | LAW

9
10 By /s/ Dominique R. Scalia
11 Dominique R. Scalia, WSBA No. 47313
12 Attorneys for Receiver Elliott Bay Asset
13 Solutions, LLC
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